



## Department of Energy

**Environmental Management  
Consolidated Business Center  
550 Main Street, Room 7-010  
Cincinnati, Ohio 45202  
(513) 246-0500**

May 27, 2020

EMCBC-00401-20

To: Prospective Offerors

### **REQUEST FOR PROPOSAL 89303319REM000034 FOR THE IDAHO CLEANUP PROJECT (ICP) PROCUREMENT**

This letter hereby serves as the official notice to prospective Offerors that the Department of Energy (DOE) is releasing the Final Request for Proposal (RFP) 89303319REM000034 for the ICP procurement through its Environmental Management Consolidated Business Center (EMCBC). The Final RFP can be found on the ICP procurement website at: <https://www.emcbc.doe.gov/SEB/icp/rfppage.php>.

Questions pertaining to the Final RFP shall be submitted in writing to [ICP@emcbc.doe.gov](mailto:ICP@emcbc.doe.gov) no later than 11:59 p.m. Eastern Time, June 10, 2020. Prospective Offerors shall use the enclosed "Industry Comment Template" when submitting questions in accordance with Final RFP Provision L.10(h), *Questions*. DOE will post amendments issued to the Final RFP, responses to questions, and other official communication from the Contracting Officer on the EMCBC ICP procurement and beta.sam/FedConnect websites. Prospective Offerors are encouraged to conduct a thorough review of the Final RFP and submit questions pertaining to the Final RFP as early as possible, but no later than the date shown above to allow for a thorough and timely DOE response to all questions submitted.

The established due date for receipt of proposal submission is July 28, 2020, as specified on the Standard Form (SF 33), Solicitation, Offer and Award (See Section A, Block 9).

### **Background**

On February 11, 2020, DOE released the Draft RFP. The Draft RFP was released to facilitate the understanding of the Government's requirements with interested parties, and to provide interested parties with the opportunity to submit comments and provide feedback pertaining to the Draft RFP. From February 25<sup>th</sup> through February 28<sup>th</sup>, DOE held a pre-solicitation conference, site tour, and one-on-one meetings with interested parties, as well as a Community Day.

On March 14, 2020, and May 7, 2020, Procurement Special Notices were posted on beta.sam.gov on behalf of the U.S. DOE, Office of Environmental Management, providing updated procurement schedule information on the ICP Final RFP release in light of

developments surrounding COVID-19 and associated impacts on business activities. DOE-EM expects to proceed with reasonable acquisition schedules and revised process considerations that may be necessary due to enhanced telework, social distancing, and travel restrictions. Consistent with these notices and to mitigate resource surges, the proposal preparation time period for ICP was established at approximately 60 calendar days. Additionally, DOE may utilize virtual procedures to conduct the oral problem scenarios with each Offeror's proposed key personnel team and the oral interview with each Offeror's proposed Program Manager. Refer to Provision L.14 *Proposal Preparation Instructions, Volume II – Key Personnel*.

DOE has carefully considered comments received on the Draft RFP, and made changes to the Final RFP that it believed were appropriate. The Final RFP is the result of these changes and considerations, and other changes made since the Draft RFP issuance.

### **Notices**

This cover letter provides a summary level description of the notable changes that have been made from the Draft RFP to the Final RFP. Additionally, for informational purposes only, a redlined copy of the Final RFP is enclosed. The Final RFP specifies all of the requirements for the ICP procurement, and takes precedence over this cover letter and the redlined copy of the Final RFP sections. Information contained in this cover letter or the redlined copy of the Final RFP sections shall not be construed as being part of the Final RFP. Prospective Offerors shall prepare their proposals based solely on the requirements specified in the Final RFP and in accompanying amendments, if issued.

DOE is also posting to the EMCBC ICP procurement website, for Offerors' convenience, the MS Word versions of the following Section L Attachments for the ICP – Final RFP Solicitation No. 89303319REM000034:

Attachment L-1	Performance Guarantee Agreement
Attachment L-2	Key Personnel Standard Resume Format
Attachment L-3	Past Performance Reference Information Form
Attachment L-4	Past Performance Cover Letter and Questionnaire
Attachment L-5	List of Contracts Terminated for Default, Cure Notices, and Conditional Payment of Fee/Profit/Other Incentive Actions
Attachment L-7	Contract Transition Task Order
Attachment L-8	Offeror's Proposed Accounting System Information
Attachment L-9	List of DOE Contracts

In the event there is a conflict between the MS Word versions of the Section L Attachments and the current version of the .pdf file for Section L provided on the EMCBC ICP procurement and beta.sam/FedConnect websites, the .pdf file will control.

In order to further the Government's policy of maximizing electronic commerce, electronic

media will be the primary method of communication regarding this procurement. The Final RFP, amendments issued, responses to questions received from prospective Offerors, and other official communications from the DOE will be posted on the EMCBC ICP procurement and beta.sam/FedConnect websites. Prospective Offerors shall be responsible for reviewing the procurement website regularly for information, notices, and updates regarding the Final RFP.

### **Notable Changes from the Draft RFP to the Final RFP**

Below is a brief description of some of the notable changes from the Draft RFP to the Final RFP.

#### Section B:

- Clause B.8, *Small Business Subcontracting Fee Reduction*, was updated to clarify the Contractor's performance in the following three areas would be evaluated on annual basis: (1) progress toward meeting the cumulative small business performance percentage in accordance with the Section H Clause entitled, *Subcontracted Work*; (2) progress toward meeting the cumulative small business subcontracting goals for the Master IDIQ Contract; and (3) progress toward meeting the required number of active Mentor-Protégé Agreements.
- As a result of industry feedback and further internal DOE discussions, Clause B.13, *Performance Management Incentive*, was updated to clarify and refine the Contractor performance areas to be evaluated, establish a PMI fee of \$2 Million per fiscal year, and provide additional details for how the Performance Management Incentive (PMI) would be evaluated and potentially reduced based on non-achievement by the Contractor.

#### Section C:

- Various updates were made throughout the Performance Work Statement (PWS) to clarify and refine the scope requirements as a result of industry feedback and further internal DOE discussions.

#### Section H:

- Revised clause H.4 *Workforce Transition and Employee Hiring Preferences Including Through Period of Performance* to implement the revocation of the "Right of First Refusal" language, and to delete the reference to Section I Clause FAR 52.222-17 *Nondisplacement of Qualified Workers*.
- Revised clause H.44 *DOE-H-2070 Key Personnel -Alt I (Oct 2014)(Revised)* to increase the Contract fee reductions to \$1,000,000 for the Program Manager, and \$500,000 for key person (s) other than the Program Manager.
- Revised clause H.51 *Ordering Procedures* as follows:
  - Exclude the requirement for separate small business subcontracting goals under the Transition Task Order.
  - Clarify the requirement for the Contractor to establish minimum goals for each small business category for each Task Order (excluding Transition) to ensure overall cumulative compliance with the small business subcontracting goals for the Master IDIQ Contract.

## Section I:

- Deleted FAR clause 52.222-17 *Nondisplacement of Qualified Workers*.
- Added FAR clause 52.246-26 *Reporting Nonconforming Items*.

## Section J:

- Attachment J-2, *Contract Deliverables*, has been revised to match revisions made to Section C as well as other updates throughout the RFP.
- Revised Attachment J-3 *Requirements Sources and Implementing Documents (List B)* to better align with Section C as well as other sections throughout the RFP.
- Attachment J-6, *Wage Determinations* have been updated to the most current versions issued by the Department of Labor.
- Attachments J-14 *Implementation Period Task Order*, J-15 *ICP Essential Missions Task Order*, and J-16 *IWTU Operations Task Order* have been updated to reflect consistency with the Master Section B Clause B.13, *Performance Management Incentive*.

## Section L:

- Provision L.11 *DOE-L-2002 Proposal Preparation Instructions, Volume I – Offer and Other Documents*:
  - Updates to paragraph (e) to clarify the teaming agreement(s) and operating agreement (if applicable), that will remain in effect after any contract award are only required of the parent or member companies of the Offeror.
  - Updates to paragraph (k) to clarify the small business subcontracting is a Volume I responsibility determination of a prospective large business awardee.
- Provision L.14 *Proposal Preparation Instructions, Volume II – Key Personnel*:
  - Clarify relevant Key Personnel experience may include DOE, commercial, and/or other Government experience.
  - Deleted “within the last three (3) years” timeframe for recent experience
  - Updated the logistics for conducting the oral problem scenarios with each Offeror’s proposed key personnel team and the oral interview with each Offeror’s proposed Program Manager to include the potential for virtual procedures.
- Provision L.15 *DOE-L-2010 Proposal Preparation Instructions, Volume II – Past Performance*:
  - Expand the past performance consideration of contracts completed within the last four years from the original solicitation issuance date.
  - Clarify the scope, size, and complexity requirements for relevancy will be apportioned to the portion of work that each entity is proposed to perform (along with other clarifications for the definitions of scope, size, and complexity).
  - Add requirements for Offerors to include cure notices and Conditional Payment of Fee/Profit/Other Incentive actions as part of the submitted proposal information.
- Provision L.17 *Proposal Preparation Instructions, Volume III – Cost and Fee/Profit Proposal*:
  - Offerors shall assume all labor hours provided by labor category will be self-

performed by the Prime; therefore, shall be priced using the Prime's indirect rates only.

- Offerors shall not propose a fringe rate below the historical FY 2020 site fringe benefit rate.

Section M:

- Made revisions to align with Section L.
- Provision M.3 DOE-M-2008 *Evaluation Factor – Past Performance* was updated to include award fee determinations as a potential source of past performance information.
- Provision M.5 *Evaluation Factor – Cost and Fee/Profit* was updated to clarify the evaluation methodology per the tenets of cost realism in accordance with FAR 15.404-1 and price as required by FAR 15.402(a).

DOE intends to answer all questions pertaining to the Final RFP as thoroughly and efficiently as possible, and looks forward to receiving proposals in response to the Final RFP.

Sincerely,



Lori A. Sehlhorst  
Contracting Officer

Enclosure:

- (1) Industry Comment Template
- (2) Redlined Copy of Final RFP Changes